JUL 0 7 2009

PATENT 674556-2003.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)

CHOY and BAI

Serial No.

10/024,658

For

FILM COATING DEPOSITION AND POWDER

FORMATION

Filed

December 17, 2001

Examiner

Frederick John Parker

Art Unit

1762

Confirmation No.

3227

745 Fifth Avenue New York, NY 10151

<u>EXPEDITED PROCEDURE</u> <u>RESPONSE AFTER FINAL ACTION</u> <u>UNDER 37 C.F.R. 1.116</u>

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 2, 2009.

Heidi S. E. Lunasin, Reg. No. 54,283

(Name of Applicant, Assignee or Registered Representative)

Signature

July 2, 2009

Date of Signature

07/08/2009 SDENBOB3 00000006 10024658

01 FC:2401 02 FC:2253

270.00 OP

555.00 OP

NOTICE OF APPEAL AND PETITION FOR EXTENSION OF TIME

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the final Office Action mailed January 2, 2009, rejecting claims 70-74. A check for

\$270.00 is enclosed to cover the appeal fee required by 35 U.S.C. \$41(a)(6)\$ and 37 C.F.R. \$41.20(b)(1).

-2- 00670646

PETITION FOR EXTENSION OF TIME

Pursuant to the provisions of 37 C.F.R. §1.17(a)(3), Applicants hereby request an extension of time of three (3) months in responding to the final Office Action of January 2, 2009. Granting of Applicants' request would serve to extend Applicants' due date from April 2, 2009 to July 2, 2009.

Enclosed is a check for <u>\$555.00</u> to satisfy the fee a three (3) month extension of time.

-3- 00670646

The Commissioner is hereby authorized to charge any additional fee which may be required for this paper, or credit any overpayment to Account No. 50-0320.

Respectfully submitted, FROMMER LAWRENCE & HAUG LLP

By:

Thomas J. Kowalski

Reg. No. 32,147

Deborah L. Lu, Ph.D.

Reg. No. 50,940

Heidi E. Lunasin

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-4- 00670646

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